

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re	)	
	)	
LEHMAN BROTHERS HOLDING INC.	)	Chapter 11
	)	
Debtors.	)	Case No. 08-13555
	)	

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**CORNERSTONE MORTGAGE, INC., PARKSIDE LENDING, LLC AND  
SACRAMENTO 1<sup>ST</sup> MORTGAGE, INC., COMSTOCK MORTGAGE AND AMERICAN  
PACIFIC MORTGAGE, INC.'S JOINT NON-OPPOSITION TO LEHMAN BROTHERS  
HOLDINGS, INC.'S MOTION FOR ENTRY OF AN OMNIBUS ORDER (I) TO  
ENFORCE AGAINST NONCOMPLIANCE MORTGAGE LOAN SELLERS, AND TO  
COMPEL THEM TO COMPLY WITH THE ALTERNATIVE DISPUTE RESOLUTION  
PROCEDURES ORDER FOR INDEMNIFICATION CLAIMS OF THE DEBTORS  
AGAINST MORTGAGE LOAN SELLERS, AND (II) FOR CIVIL CONTEMPT  
SANCTIONS AGAINST SUCH NON-COMPLIANT MORTGAGE LOAN SELLERS  
FOR THEIR VIOLATION OF THE ORDER**

This is a non-opposition to Lehman Brothers Holding, Inc.'s ("LBHI") motion for entry of an omnibus order to enforce against noncompliant mortgage loan sellers, and to compel them to comply with, the alternative dispute resolution procedures order for indemnification claims of the debtors against mortgage loan sellers, and for civil contempt sanctions against such noncompliant mortgage loan sellers for their violation of the order. This non-opposition is filed on behalf of Parkside Lending, LLC, Cornerstone Mortgage, Inc., American Pacific Mortgage, Inc., Sacramento 1<sup>st</sup> Mortgage, Inc. and Comstock Mortgage.

Said parties have reached out to LBHI and the mediators assigned to each matter to schedule a mediation with respect to American Pacific Mortgage, Inc., Sacramento 1<sup>st</sup> Mortgage, Inc., and Comstock Mortgage. Counsel for LBHI responded with an email stating that it would adjourn the motion as to American Pacific Mortgage, Inc., Sacramento 1<sup>st</sup> Mortgage, Inc., and Comstock Mortgage if said parties responded to the mediator, scheduled the mediations, attended and fully participated in the mediation (if the matters are not resolved before the mediation).

With respect to Parkside Lending, LLC and Cornerstone Mortgage, Inc. counsel reached out to LBHI to ask whether LBHI wanted to attend mediation immediately or wanted Parkside Lending, LLC and Cornerstone Mortgage, Inc. to formally respond to the ADR Notice first. LBHI stated that it wanted said parties to provide a written response to the ADR Notice by November 30, 2016. Once the response was submitted, a mediator would contact the parties to schedule a mediation, which the parties are to attend and fully participate in. LBHI represented that timely compliance with those instructions would result in the adjournment and dismissal of the motion as to said parties.

Thus, Parkside Lending, LLC, Cornerstone Mortgage, Inc., American Pacific Mortgage, Inc., Sacramento 1<sup>st</sup> Mortgage, Inc. and Comstock Mortgage respectfully request the Court not rule on the pending motion while said parties are complying with the ADR Order. If any Order is entered by this Court, said parties respectfully request that no sanctions be ordered so long as the parties comply with the ADR Order, as requested by LBHI in its motion.

DATED: November 28, 2016

By: /s/ Joshua A. Rosenthal

Joshua A. Rosenthal

MEDLIN & HARGRAVE  
A Professional Corporation  
3562 Round Barn Circle, Suite 212  
Santa Rosa, CA 95403  
Telephone: (707) 570-2200  
Facsimile: (707) 570-2201

Attorneys for Parkside Lending, LLC, Cornerstone  
Mortgage, Inc., American Pacific Mortgage, Inc.,  
Sacramento 1<sup>st</sup> Mortgage, Inc. and Comstock  
Mortgage